

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

STRUBE CELERY AND VEGETABLE CO. :
: Plaintiff :
: v. : Civil No. 08C1485
: : J. Manning
THE EGG STORE, INC., a/t/a : Mag. Judge Schenkier
KUEHNLE EGG & PRODUCE, et al :
: Defendants :

**AFFIDAVIT OF BOB FOTOPOLOUS IN SUPPORT OF
MOTION FOR TEMPORARY RESTRAINING ORDER
AND PRELIMINARY INJUNCTION**

Bob Fotopolous, being duly sworn, deposes and says:

1. I am the accounts receivable manager of Strube Celery and Vegetable Co. ("Strube") the Plaintiff in the above-referenced proceeding. Strube is located at 2404 S. Wolcott Avenue, Units 16-20, Chicago, Illinois 60608.
2. I make this Affidavit in Support of Plaintiff's Motions for Temporary Restraining Order and Preliminary Injunction.
3. I am personally familiar with all matters which are the subject of this proceeding and the facts set forth in this affidavit are within my personal knowledge. If called upon as a witness, I would and could competently testify to all facts stated in this affidavit.
4. Strube is in the business of shipping and selling wholesale quantities of perishable agricultural commodities (hereafter "produce") throughout the wholesale, retail and food service markets. Strube is a produce dealer subject to and licensed under the Perishable Agricultural Commodities Act of 1930, as amended, 7 U.S.C.

§499a et. seq. (hereafter "PACA"). With specific reference to the perishable agricultural commodities that are the subject of the PACA trust claim of Strube against defendants, those commodities were grown, shipped and moved in or in anticipation of interstate commerce.

5. The Egg Store, Inc., a/t/a Kuehnle Egg & Produce ("The Egg Store"), purchased wholesale quantities of produce from Strube and resold those commodities. The Egg Store is a produce dealer subject to and licensed under PACA as a dealer. Upon information and belief, this entity is owned and controlled by the individual defendants, Rod J. Kuehnle and James A. Kuehnle.

6. The sales and accounts receivable records of Strube, including, but not limited to, invoices and account statements, are made in the ordinary course of business and are made at or near the time of the occurrence of the event of which they are a record. These business records are made by me or under my direction and supervision by employees whose duty it is to prepare such documents.

7. My responsibilities include monitoring the sale of perishable agricultural commodities, including those sales that are the subject of this dispute. My responsibilities also include supervising collection of the accounts receivable for such sales, including the account of The Egg Store which is the subject of the present motion. I have custody and control of the sales and accounts receivable records of Strube as they relate to The Egg Store, and I am thoroughly familiar with the manner in which those records are compiled.

8. Between December 3, 2007, and February 8, 2008, Strube sold and delivered to defendant, The Egg Store, in interstate commerce, wholesale amounts of produce items worth \$98,640.50, which remains unpaid.

9. I was responsible for supervising the collection of receivables resulting from the subject sales transactions, and I am custodian of all invoices, including those at issue in this proceeding. With respect to each of the sales transactions described above, an itemized invoice containing the requisite trust language under 7 U.S.C. §499e(c)(4) was hand-delivered to defendant The Egg Store. All invoices to The Egg Store include a provision for prejudgment interest at 1.0% per month and for attorney's fees. Attached as Exhibit 1 are true and correct copies of reports summarizing the outstanding invoices for produce sold to The Egg Store. A representative sampling of the unpaid invoices are attached hereto as Exhibit 2. All the other outstanding invoices, which are too voluminous to attach hereto, also contain the language required by 7 U.S.C. §499e(c)(4). Defendants never disputed the outstanding balance due to Strube.

10. On February 8, 2008, and several times since then, I have contacted Denise in the accounts payable department of The Egg Store and requested payment. Denise has repeatedly acknowledge that The Egg Store was slow in paying Strube as well as other creditors, but that a check would be sent out shortly.

11. My last discussion with Denise occurred on March 11, 2008. Denise told me that The Egg Store was experiencing a "crush" and could not pay Strube at this time. She told me that Rod Kuehnle, the president of The Egg Store, would contact Strube later that day to discuss payment. However, Mr. Kuehnle never called and Strube has not received payment.

12. Defendants' failure and refusal to pay its produce suppliers indicate that defendants are failing to maintain sufficient assets in the statutory trust to pay Strube and similarly situated creditors, and are dissipating trust assets.

13. The current amount due and owing to Strube from Defendants is the principal amount of \$98,640.50, plus prejudgment interest and attorneys fees.

I declare the above statements to be true and correct under penalty of perjury as set forth in 28 U.S.C. §1746 and the laws of the State of Illinois.

Executed this 13 day of MARCH, 2008 at Chicago, Illinois.

STRUBE CELERY AND VEGETABLE CO.

By: Bob Fotopoulos
Bob Fotopoulos
Accounts Receivable Manager

Exhibit 1

Strube Celery & Vegetable Company

Shippers and Distributors

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KUEHNLE EGG & PRODUCE
6190 S. ARCHER

11-MAR-08

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CHICAGO, IL 60638

Listing of Open Invoices

Date	Type	Invoice#	Po. Number	Tracking Number	Original Amt	Current Balance
12-03-07	TK	72586-17		20071203.081415	98.00	98.00
12-05-07	TK	72590-20		20071205.082959	392.00	392.00
12-05-07	TK	72590-21		20071205.082957	364.00	364.00
12-05-07	TK	74218-16		20071205.082961	1,343.50	1,343.50
12-06-07	TK	72591-47	DJ5049		450.00	450.00
12-08-07	TK	72574-3			-16.00	-16.00
12-10-07	TK	72600-27		20071210.086157	56.00	56.00
12-10-07	TK	72600-34		20071210.086233	504.00	504.00
12-10-07	TK	72600-35		20071210.086233	111.00	111.00
12-10-07	TK	74240-24		20071210.086157	180.00	180.00
12-11-07	TK	72577-8			450.00	450.00
12-14-07	TK	74175-25		20071214.089697	652.00	652.00
12-14-07	TK	74175-27		20071214.089697	157.00	157.00
12-14-07	TK	74178-3		20071214.089675	20.00	20.00
12-14-07	TK	75058-13		20071214.089675	1,330.00	1,330.00
12-19-07	TK	72610-10		20071219.092655	645.50	645.50
12-19-07	TK	73611-11		20071219.092613	691.00	691.00
12-19-07	TK	73611-12		20071219.092597	76.00	76.00
12-19-07	TK	73611-21		20071219.092653	22.00	22.00
12-19-07	TK	73611-6		20071219.092597	142.00	142.00
12-19-07	TK	74185-46	DJ5165		500.00	500.00
12-19-07	TK	74211-15		20071219.092597	116.50	116.50
12-20-07	TK	72560-4		20071220.093583	70.00	70.00
12-20-07	TK	72610-34			-72.00	-72.00
12-20-07	TK	73590-19			-10.00	-10.00
12-21-07	TK	71688-15		20071221.094881	770.00	770.00
12-21-07	TK	72560-43	DJ5196		450.00	450.00
12-27-07	TK	71723-12		20071227.097619	755.50	755.50
12-27-07	TK	71723-16		20071227.097619	115.75	115.75
12-27-07	TK	75060-18		20071227.097631	182.00	182.00
12-27-07	TK	75060-22			-63.00	-63.00
12-29-07	TK	73162-2			-14.50	-14.50
12-31-07	TK	72471-15		20071231.099947	302.50	302.50

Strube Celery & Vegetable Company

Shippers and Distributors

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KUEHNLE EGG & PRODUCE

11-MAR-08

Listing of Open Invoices

Date	Type	Invoice#	Po. Number	Tracking Number	Original Amt	Current Balance
01-02-08	TK	72473-28		20080102.100819	519.00	519.00
01-02-08	TK	72473-29		20080102.100819	357.00	357.00
01-02-08	TK	72497-13		20080102.100761	6.00	6.00
01-02-08	TK	75063-28		20080102.100761	183.00	183.00
01-04-08	TK	74703-38		20080104.102781	14.50	14.50
01-04-08	TK	74703-42		20080104.102781	582.00	582.00
01-04-08	TK	74703-43		20080104.102781	16.00	16.00
01-04-08	TK	75050-17		20080104.102779	871.00	871.00
01-04-08	TK	75050-25		20080104.102827	170.00	170.00
01-07-08	TK	74509-8		20080107.104237	867.50	867.50
01-07-08	TK	74705-41	DJ5196		-450.00	-450.00
01-07-08	TK	74707-49		20080107.104239	497.75	497.75
01-07-08	TK	74707-50		20080107.104239	68.00	68.00
01-08-08	TK	74686-39		20080108.104637	-42.00	-42.00
01-10-08	TK	74507-9		20080110.106745	612.00	612.00
01-10-08	TK	74681-27		20080110.106759	885.50	885.50
01-11-08	TK	71696-31			-110.00	-110.00
01-11-08	TK	71696-32			-110.00	-110.00
01-14-08	TK	72305-19		20080114.109135	651.00	651.00
01-14-08	TK	72305-20		20080114.109137	336.00	336.00
01-14-08	TK	74508-38		20080114.109055	592.50	592.50
01-14-08	TK	74508-49		20080114.109207	120.00	120.00
01-15-08	TK	72309-17		20080115.109671	-28.00	-28.00
01-18-08	TK	72317-37		20080118.112637	120.00	120.00
01-18-08	TK	72321-41		20080118.112687	497.00	497.00
01-18-08	TK	72321-42		20080118.112687	85.00	85.00
01-18-08	TK	74531-36		20080118.112621	2,517.00	2,517.00
01-25-08	TK	72900-33		20080125.117285	668.00	668.00
01-25-08	TK	72900-34		20080125.117287	526.00	526.00
01-25-08	TK	72900-35		20080125.117289	287.50	287.50
01-25-08	TK	75052-17		20080125.117267	772.00	772.00
02-01-08	TK	74902-10		20080201.121845	396.00	396.00
02-01-08	TK	74902-28		20080201.121949	8.00	8.00

Strube Celery & Vegetable Company
Shippers and Distributors

Shippers and Distributors

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KUEHNLE EGG & PRODUCE

11-MAR-08

11-MAR-08

Listing of Open Invoices

Date	Type	Invoice#	Po. Number	Tracking Number	Original Amt	Current Balance
02-01-08	TK	75363-37		20080201.121975	598.00	598.00
02-01-08	TK	75363-38		20080201.121977	431.00	431.00
02-04-08	TK	72672-48	DJ6606		520.00	520.00
02-04-08	TK	72675-27		20080204.123217	302.50	302.50
02-04-08	TK	72675-43		20080204.123315	275.00	275.00
02-04-08	TK	72676-39		20080204.123269	287.00	287.00
02-04-08	TK	72676-40		20080204.123269	14.00	14.00
02-04-08	TK	74901-34		20080204.123217	335.00	335.00
02-05-08	TK	74873-1			105.00	105.00
02-08-08	TK	72686-47		20080208.126221	547.50	547.50
						\$26,671.00

\$26,671.00

Strube Celery & Vegetable Company

Shippers and Distributors

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EGG STORE OAKLAWN
6190 S. ARCHER AVE.

11-MAR-08

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CHICAGO, IL 60638

Listing of Open Invoices

Date	Type	Invoice#	Po. Number	Tracking Number	Original Amt	Current Balance
12-03-07	TK	72586-18		20071203.081413	98.00	98.00
12-05-07	TK	72590-22		20071205.082979	396.00	396.00
12-05-07	TK	72590-23		20071205.082975	382.00	382.00
12-05-07	TK	72590-24		20071205.082975	20.00	20.00
12-05-07	TK	74218-17		20071205.082963	1,253.50	1,253.50
12-07-07	TK	72595-35		20071207.084965	194.25	194.25
12-08-07	TK	72574-4			-16.00	-16.00
12-10-07	TK	72574-9		20071210.085345	-34.00	-34.00
12-10-07	TK	72600-28		20071210.086159	56.00	56.00
12-10-07	TK	72600-36		20071210.086237	610.00	610.00
12-10-07	TK	72600-37		20071210.086237	221.00	221.00
12-10-07	TK	74240-25		20071210.086159	180.00	180.00
12-11-07	TK	72577-44			-16.00	-16.00
12-14-07	TK	74175-30		20071214.089709	628.00	628.00
12-14-07	TK	74175-32		20071214.089711	288.50	288.50
12-14-07	TK	74178-4		20071214.089677	30.00	30.00
12-14-07	TK	75058-14		20071214.089677	906.00	906.00
12-19-07	TK	72610-13		20071219.092645	645.50	645.50
12-19-07	TK	73611-13		20071219.092605	590.50	590.50
12-19-07	TK	73611-14		20071219.092603	328.00	328.00
12-19-07	TK	73611-22		20071219.092647	44.00	44.00
12-19-07	TK	73611-7		20071219.092645	130.00	130.00
12-19-07	TK	74211-16		20071219.092603	116.50	116.50
12-20-07	TK	73590-20		20071220.093139	-36.00	-36.00
12-21-07	TK	71688-16		20071221.094879	702.00	702.00
12-27-07	TK	71723-17		20071227.097621	856.00	856.00
12-27-07	TK	71723-18		20071227.097621	109.25	109.25
12-27-07	TK	75060-19		20071227.097629	182.00	182.00
12-27-07	TK	75060-23			-105.00	-105.00
01-02-08	TK	72473-30		20080102.100815	467.00	467.00
01-02-08	TK	72473-31		20080102.100815	210.00	210.00
01-02-08	TK	72497-14		20080102.100763	6.00	6.00
01-02-08	TK	75063-29		20080102.100763	50.00	50.00

Strube Celery & Vegetable Company

Shippers and Distributors

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EGG STORE OAKLAWN

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Listing of Open Invoices

Date	Type	Invoice#	Po. Number	Tracking Number	Original Amt	Current Balance
01-04-08	TK	74703-39		20080104.102785	29.00	29.00
01-04-08	TK	74703-44		20080104.102787	484.00	484.00
01-04-08	TK	74703-47		20080104.102785	251.00	251.00
01-04-08	TK	75050-18		20080104.102783	853.50	853.50
01-04-08	TK	75050-26		20080104.102829	170.00	170.00
01-05-08	TK	74705-23		20080105.103183	-48.00	-48.00
01-07-08	TK	74509-10		20080107.104243	947.50	947.50
01-07-08	TK	74686-2		20080107.104241	663.25	663.25
01-10-08	TK	74507-10		20080110.106743	570.00	570.00
01-10-08	TK	74681-28		20080110.106761	990.25	990.25
01-11-08	TK	71695-35		20080111.107793	42.00	42.00
01-11-08	TK	71696-33			-44.00	-44.00
01-11-08	TK	71696-34			-55.00	-55.00
01-14-08	TK	72305-21		20080114.109143	66.00	66.00
01-14-08	TK	72305-25		20080114.109143	659.00	659.00
01-14-08	TK	72305-28		20080114.109145	386.00	386.00
01-14-08	TK	74508-39		20080114.109057	568.50	568.50
01-14-08	TK	74508-50		20080114.109205	120.00	120.00
01-18-08	TK	72317-35		20080118.112641	120.00	120.00
01-18-08	TK	72321-43		20080118.112681	394.50	394.50
01-18-08	TK	72321-44		20080118.112681	308.00	308.00
01-18-08	TK	74531-38		20080118.112623	1,461.50	1,461.50
01-25-08	TK	72900-42		20080125.117345	623.00	623.00
01-25-08	TK	72900-43		20080125.117305	518.00	518.00
01-25-08	TK	72900-44		20080125.117307	458.50	458.50
01-25-08	TK	72900-45		20080125.117305	20.00	20.00
01-25-08	TK	75052-18		20080125.117269	527.00	527.00
02-01-08	TK	74902-13		20080201.121851	360.00	360.00
02-01-08	TK	74902-29		20080201.121951	24.00	24.00
02-01-08	TK	75363-39		20080201.121973	489.00	489.00
02-01-08	TK	75363-44		20080201.121979	416.00	416.00
02-01-08	TK	75363-45		20080201.121981	90.00	90.00
02-02-08	TK	72672-8		20080201.122033	14.00	14.00

Strube Celery & Vegetable Company
Shippers and Distributors

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EGG STORE OAKLAWN

11-MAR-08

Listing of Open Invoices

Date	Type	Invoice#	Po. Number	Tracking Number	Original Amt	Current Balance
02-02-08	TK	72672-9		20080201.122035	-24.00	-24.00
02-04-08	TK	72675-28		20080204.123209	432.50	432.50
02-04-08	TK	72675-46		20080204.123321	275.00	275.00
02-04-08	TK	72676-25		20080204.123209	36.00	36.00
02-04-08	TK	72676-41		20080204.123267	346.00	346.00
02-04-08	TK	72676-42		20080204.123267	70.00	70.00
02-04-08	TK	74901-35		20080204.123211	335.00	335.00
02-05-08	TK	74873-2			105.00	105.00
						\$23,545.00

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6190 S. ARCHER AVE.
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CHICAGO, IL 60638

11-MAR-08

Listing of Open Invoices

Date	Type	Invoice#	Po. Number	Tracking Number	Original Amt	Current Balance
12-05-07	TK	72590-28		20071205.082987	423.00	423.00
12-05-07	TK	72590-31		20071205.082987	132.00	132.00
12-05-07	TK	74218-19		20071205.082955	1,422.50	1,422.50
12-07-07	TK	72595-38		20071207.084969	130.00	130.00
12-10-07	TK	72600-41		20071210.086261	456.00	456.00
12-10-07	TK	72600-44		20071210.086261	34.00	34.00
12-10-07	TK	74240-27		20071210.086213	180.00	180.00
12-11-07	TK	72577-43			-16.00	-16.00
12-14-07	TK	74175-35		20071214.089743	782.50	782.50
12-14-07	TK	74175-36		20071214.089743	75.00	75.00
12-14-07	TK	74178-6		20071214.089681	30.00	30.00
12-14-07	TK	75058-16		20071214.089681	1,048.00	1,048.00
12-19-07	TK	72610-15		20071219.092637	445.50	445.50
12-19-07	TK	73611-18		20071219.092641	493.50	493.50
12-19-07	TK	73611-20		20071219.092639	36.00	36.00
12-19-07	TK	73611-24		20071219.092639	44.00	44.00
12-19-07	TK	73611-9		20071219.092637	78.00	78.00
12-19-07	TK	74211-19		20071219.092639	103.00	103.00
12-21-07	TK	71688-18		20071221.094875	666.50	666.50
12-21-07	TK	75085-13		20071221.094875	180.00	180.00
12-27-07	TK	71723-22		20071227.097633	755.50	755.50
12-27-07	TK	71723-23		20071227.097633	46.75	46.75
12-27-07	TK	75060-20		20071227.097627	182.00	182.00
12-27-07	TK	75060-25			-70.00	-70.00
01-02-08	TK	72473-34		20080102.100821	549.00	549.00
01-02-08	TK	72473-35		20080102.100825	71.75	71.75
01-02-08	TK	72497-16		20080102.100769	30.00	30.00
01-02-08	TK	75063-26		20080102.100765	398.00	398.00
01-04-08	TK	74703-41		20080104.102789	29.00	29.00
01-04-08	TK	74704-2		20080104.102803	479.00	479.00
01-04-08	TK	74704-3		20080104.102803	80.00	80.00
01-04-08	TK	75050-20		20080104.102789	622.00	622.00
01-04-08	TK	75050-23		20080104.102825	373.50	373.50

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EGG STORE HALSTED

11-MAR-08

Listing of Open Invoices

Date	Type	Invoice#	Po. Number	Tracking Number	Original Amt	Current Balance
01-07-08	TK	74509-12		20080107.104247	362.50	362.50
01-07-08	TK	74686-4		20080107.104245	494.50	494.50
01-10-08	TK	74507-12		20080110.106739	356.00	356.00
01-10-08	TK	74681-30		20080110.106765	949.25	949.25
01-11-08	TK	71695-34		20080111.107791	63.00	63.00
01-11-08	TK	71696-38			-110.00	-110.00
01-14-08	TK	71697-35			-64.00	-64.00
01-14-08	TK	72305-23		20080114.109139	44.00	44.00
01-14-08	TK	72305-31		20080114.109161	418.00	418.00
01-14-08	TK	72305-33		20080114.109161	73.00	73.00
01-14-08	TK	74508-41		20080114.109061	442.50	442.50
01-14-08	TK	74534-2		20080114.109203	290.00	290.00
01-18-08	TK	72317-36		20080118.112639	120.00	120.00
01-18-08	TK	72321-48		20080118.112677	628.50	628.50
01-18-08	TK	72321-49		20080118.112677	170.00	170.00
01-18-08	TK	74531-40		20080118.112627	1,024.00	1,024.00
01-25-08	TK	72901-2		20080125.117351	734.00	734.00
01-25-08	TK	72901-3		20080125.117353	783.50	783.50
01-25-08	TK	72901-5		20080125.117349	300.00	300.00
01-25-08	TK	75052-20		20080125.117273	310.00	310.00
02-01-08	TK	72672-1		20080201.121969	197.50	197.50
02-01-08	TK	74902-12		20080201.121849	510.00	510.00
02-01-08	TK	74902-31		20080201.121969	24.00	24.00
02-01-08	TK	75363-49		20080201.121971	759.50	759.50
02-04-08	TK	72675-30		20080204.123201	605.00	605.00
02-04-08	TK	72675-45		20080204.123309	77.00	77.00
02-04-08	TK	72676-24			-70.00	-70.00
02-04-08	TK	72676-28		20080204.123201	36.00	36.00
02-04-08	TK	72676-45		20080204.123263	780.00	780.00
02-04-08	TK	74901-37		20080204.123203	708.00	708.00
02-05-08	TK	74873-4			210.00	210.00

\$21,515.75

Strube Celery & Vegetable Company

Shippers and Distributors

Page 1 of 3

1598

EGG STORE CERMAK
6190 S. ARCHER AVE.
*
CHICAGO, IL 60638

11-MAR-08

Listing of Open Invoices

Date	Type	Invoice#	Po. Number	Tracking Number	Original Amt	Current Balance
12-03-07	TK	72586-19		20071203.081411	98.00	98.00
12-05-07	TK	72590-25		20071205.082981	425.00	425.00
12-05-07	TK	72590-26		20071205.082983	431.00	431.00
12-05-07	TK	72590-27		20071205.082983	20.00	20.00
12-05-07	TK	74218-18		20071205.082953	1,433.50	1,433.50
12-06-07	TK	74218-26			-42.00	-42.00
12-07-07	TK	72595-37		20071207.084967	108.00	108.00
12-08-07	TK	72574-5			-32.00	-32.00
12-10-07	TK	72574-8			-34.00	-34.00
12-10-07	TK	72600-29		20071210.086161	56.00	56.00
12-10-07	TK	72600-38		20071210.086253	547.00	547.00
12-10-07	TK	72600-40		20071210.086255	266.50	266.50
12-10-07	TK	74240-26		20071210.086161	270.00	270.00
12-14-07	TK	74175-33		20071214.089729	726.00	726.00
12-14-07	TK	74175-34		20071214.089731	403.00	403.00
12-14-07	TK	74178-5		20071214.089679	30.00	30.00
12-14-07	TK	75058-15		20071214.089679	1,760.00	1,760.00
12-19-07	TK	72610-14		20071219.092649	645.50	645.50
12-19-07	TK	73611-15		20071219.092611	470.00	470.00
12-19-07	TK	73611-16		20071219.092609	233.00	233.00
12-19-07	TK	73611-23		20071219.092651	110.00	110.00
12-19-07	TK	73611-8		20071219.092649	130.00	130.00
12-19-07	TK	74211-17		20071219.092609	103.00	103.00
12-21-07	TK	71688-17		20071221.094877	581.00	581.00
12-27-07	TK	71723-19		20071227.097623	745.50	745.50
12-27-07	TK	71723-20		20071227.097623	143.25	143.25
12-27-07	TK	75060-24			-105.00	-105.00
01-02-08	TK	72473-32		20080102.100823	462.00	462.00
01-02-08	TK	72473-33		20080102.100823	327.25	327.25
01-02-08	TK	72497-15		20080102.100767	18.00	18.00
01-02-08	TK	75063-27		20080102.100767	220.00	220.00
01-04-08	TK	74703-40		20080104.102773	21.75	21.75
01-04-08	TK	74703-48		20080104.102773	504.00	504.00

Strube Celery & Vegetable Company

Shippers and Distributors

Page 2 of 3

1598

EGG STORE CERMAK

11-MAR-08

Listing of Open Invoices

Date	Type	Invoice#	Po. Number	Tracking Number	Original Amt	Current Balance
01-04-08	TK	74703-50		20080104.102775	392.50	392.50
01-04-08	TK	75050-19		20080104.102777	1,147.50	1,147.50
01-04-08	TK	75050-27		20080104.102831	340.00	340.00
01-07-08	TK	74509-11		20080107.104251	812.50	812.50
01-07-08	TK	74686-3		20080107.104249	494.00	494.00
01-10-08	TK	74507-11		20080110.106741	728.00	728.00
01-10-08	TK	74681-29		20080110.106763	850.00	850.00
01-11-08	TK	71695-33		20080111.107789	126.00	126.00
01-11-08	TK	71696-35			-44.00	-44.00
01-11-08	TK	71696-36			-55.00	-55.00
01-14-08	TK	72305-22		20080114.109141	44.00	44.00
01-14-08	TK	72305-29		20080114.109163	623.00	623.00
01-14-08	TK	72305-30		20080114.109165	371.00	371.00
01-14-08	TK	74508-40		20080114.109059	730.50	730.50
01-14-08	TK	74534-1		20080114.109201	180.00	180.00
01-15-08	TK	72305-36		20080115.109331	-32.00	-32.00
01-18-08	TK	72317-24		20080118.112643	180.00	180.00
01-18-08	TK	72321-46		20080118.112683	500.50	500.50
01-18-08	TK	72321-47		20080118.112685	405.50	405.50
01-18-08	TK	74531-39		20080118.112625	1,719.50	1,719.50
01-25-08	TK	72900-46		20080125.117343	739.00	739.00
01-25-08	TK	72900-49		20080125.117341	645.50	645.50
01-25-08	TK	72900-50		20080125.117339	548.00	548.00
01-25-08	TK	72901-1		20080125.117339	20.00	20.00
01-25-08	TK	75052-19		20080125.117271	807.00	807.00
02-01-08	TK	74902-11		20080201.121847	560.00	560.00
02-01-08	TK	74902-30		20080201.121965	24.00	24.00
02-01-08	TK	75363-46		20080201.121965	566.00	566.00
02-01-08	TK	75363-47		20080201.121963	407.50	407.50
02-01-08	TK	75363-48		20080201.121961	232.00	232.00
02-04-08	TK	72675-29		20080204.123205	345.00	345.00
02-04-08	TK	72675-47		20080204.123319	110.00	110.00
02-04-08	TK	72676-27		20080204.123205	60.00	60.00

Strube Celery & Vegetable Company

Shippers and Distributors

Page 3 of 3

1598

EGG STORE CERMAK

11-MAR-08

Listing of Open Invoices

Date	Type	Invoice#	Po. Number	Tracking Number	Original Amt	Current Balance
02-04-08	TK	72676-43		20080204.123265	532.00	532.00
02-04-08	TK	72676-44		20080204.123265	144.00	144.00
02-04-08	TK	74901-36		20080204.123207	370.00	370.00
02-05-08	TK	74873-3			210.00	210.00
						\$26,908.75

Exhibit 2

2404 S. Wolcott Ave. 16-20
Chicago, Illinois 60608S T R U B E C E L E R Y & V E G E T A B L E C O M P A N Y
** PRIMUS CERTIFIED **Phone 312-226-7880
Fax 312-226-7644INVOICE #: 72586-17 JD
DATE: 03-DEC-2007 10:46 AM
CUST. NO.: 1157 PO#SOLD TO: KUEHNLE EGG & PRODUCE
6190 S. ARCHER
CHICAGO, IL 60638

** REPRINT **

INV #: 72586-17
BOOTH: 14

** **

TERMS:

Ctg: TYPE: PACA TERMS

LOT #	QTY	COMMODITY	DEPT.	PRICE	EXT. AMOUNT
82102	ELIT 5	MUSH, 16OZ. 4D ELITE	1	13.00	\$65.00
82102	ELIT 3	MUSH, 8OZ. 4D ELITE	1	11.00	\$33.00

Pkgs: 8 ** PALLETS OUT ____ PALLETS IN ____ ** INVOICE TOTAL: **\$98.00**

Office Copy

The perishable agricultural commodities listed on this invoice are sold subject to the statutory trust authorized by Section 5C of the Perishable Agricultural Commodities Act, 1930 (7 U.S.C. 499 (e)(c)). The seller of these commodities retains a trust claim over these commodities, all inventories of food or other products derived from these commodities, and any receivables or proceeds from the sale of these commodities until full payment is received". Interest of 1% per month will be added to the unpaid balance and all attorney fee incurred in connection with the collection of any balance due shall be considered owed in connection with the transaction under the PACA Trust.

2404 S. Wolcott Ave. 16-20
Chicago, Illinois 60608S T R U B E C E L E R Y & V E G E T A B L E C O M P A N Y
** PRIMUS CERTIFIED **Phone 312-226-7880
Fax 312-226-7644INVOICE #: 72590-20 JD
DATE: 05-DEC-2007 10:46 AM
CUST. NO.: 1157 PO#SOLD TO: KUEHNLE EGG & PRODUCE
6190 S. ARCHER
CHICAGO, IL 60638

** REPRINT **

INV #: 72590-20
BOOTH: 14

** **

TERMS:

Ctg: TYPE: PACA TERMS

LOT #	QTY	COMMODITY	Ctg:	DEPT.	PRICE	EXT. AMOUNT
82091	ST	XX SET OUT		1	3.00	\$30.00
	10	ONION, GREEN 48				
		1C SUNTERRA				
82107	D'AR			1	16.00	\$16.00
	1	ANISE, 30				
82103	PARD	2C "30" ANDY BOY		1	20.00	\$40.00
	2	BEET, BCH 24				
		1C CHAMPS				
82049	G	-MED-		1	6.00	\$90.00
	15	BEET, LSE 25#				
82128	IPP	3B 25#POLY SACK		1	22.00	\$44.00
	2	BRUSSEL, SPRT LSE 25				
		1C SR QUEEN VICTORIA				
82109	GRIM			1	18.00	\$36.00
	2	CARROT, PEEL BABY 24/1				
81970	PARD	2C CLASSIC		1	30.00	\$30.00
	1	DILL 4 DOZ				
82128	IPP	1C CHAMP		1	22.00	\$22.00
	1	ESCAROLE,				
82128	IPP	2C QUEEN VICTORIA		1	13.00	\$39.00
	3	LETTUCE, LEAF GREEN				
82108	D'AR	3B QUEEN VICTORIA		1	15.00	\$45.00
	3	LETTUCE, LEAF RED				
		3B ANDY BOY				

Pkgs: 40 ** PALLETS OUT ____ PALLETS IN ____ ** INVOICE TOTAL: **\$392.00**

Office Copy

The perishable agricultural commodities listed on this invoice are sold subject to the statutory trust authorized by Section 5C of the Perishable Agricultural Commodities Act, 1930 (7 U.S.C. 499 (e)(c)). The seller of these commodities retains a trust claim over these commodities, all inventories of food or other products derived from these commodities, and any receivables or proceeds from the sale of these commodities until full payment is received". Interest of 1% per month will be added to the unpaid balance and all attorney fee incurred in connection with the collection of any balance due shall be considered owed in connection with the transaction under the PACA Trust.

2404 S. Wolcott Ave. 16-20
Chicago, Illinois 60608S T R U B E C E L E R Y & V E G E T A B L E C O M P A N Y
** PRIMUS CERTIFIED **Phone 312-226-7880
Fax 312-226-7644INVOICE #: 72586-18 JD
DATE: 03-DEC-2007 10:53 AM
CUST. NO.: 1097 PO#SOLD TO: EGG STORE OAKLAWN
8749 RIDGELAND
CHICAGO, IL

** REPRINT **

INV #: 72586-18
BOOTH: 14

** **

TERMS:

Ctg: TYPE: PACA TERMS

LOT #	QTY	COMMODITY	DEPT.	PRICE	EXT. AMOUNT
82102	5	MUSH, 16OZ. 4D ELITE	1	13.00	\$65.00
82102	3	MUSH, 8OZ. 4D ELITE	1	11.00	\$33.00

Pkgs: 8 ** PALLETS OUT ____ PALLETS IN ____ ** INVOICE TOTAL: **\$98.00**

Office Copy

The perishable agricultural commodities listed on this invoice are sold subject to the statutory trust authorized by Section 5C of the Perishable Agricultural Commodities Act, 1930 (7 U.S.C. 499 (e)(c)). The seller of these commodities retains a trust claim over these commodities, all inventories of food or other products derived from these commodities, and any receivables or proceeds from the sale of these commodities until full payment is received". Interest of 1% per month will be added to the unpaid balance and all attorney fee incurred in connection with the collection of any balance due shall be considered owed in connection with the transaction under the PACA Trust.

2404 S. Wolcott Ave. 16-20
Chicago, Illinois 60608S T R U B E C E L E R Y & V E G E T A B L E C O M P A N Y
** PRIMUS CERTIFIED **Phone 312-226-7880
Fax 312-226-7644INVOICE #: 72590-22 JD
DATE: 05-DEC-2007 10:53 AM
CUST. NO.: 1097 PO#SOLD TO: EGG STORE OAKLAWN
8749 RIDGELAND
CHICAGO, IL

** REPRINT **

INV #: 72590-22
BOOTH: 12

** **

TERMS:

Ctg: TYPE: PACA TERMS

LOT #	QTY	COMMODITY	DEPT.	PRICE	EXT. AMOUNT
82091	ST 15	ONION, GREEN 48 1C SUNTERRA	1	3.00	\$45.00
82107	D'AR 1	ANISE, 30 2C "30" ANDY BOY	1	16.00	\$16.00
82103	PARD 1	BEET, BCH 24 1C CHAMPS	1	20.00	\$20.00
82049	G 10	MED BEET, LSE 25# 3B 25#POLY SACK	1	6.00	\$60.00
82128	IPP 2	BRUSSEL, SPRT LSE 25 1C SR QUEEN VICTORIA	1	22.00	\$44.00
82109	GRIM 3	CARROT, PEEL BABY 24/1 2C CLASSIC	1	18.00	\$54.00
81970	PARD 1	DILL 4 DOZ 1C CHAMP	1	30.00	\$30.00
82128	IPP 2	ESCAROLE, 2C QUEEN VICTORIA	1	22.00	\$44.00
82089	IPP 2	ENDIVE, 2C QUEEN VICTORIA	1	22.00	\$44.00
82128	IPP 3	LETTUCE, LEAF GREEN 3B QUEEN VICTORIA	1	13.00	\$39.00

Pkgs: 40 ** PALLETS OUT ____ PALLETS IN ____ ** INVOICE TOTAL: **\$396.00**

Office Copy

The perishable agricultural commodities listed on this invoice are sold subject to the statutory trust authorized by Section 5C of the Perishable Agricultural Commodities Act, 1930 (7 U.S.C. 499 (e)(c)). The seller of these commodities retains a trust claim over these commodities, all inventories of food or other products derived from these commodities, and any receivables or proceeds from the sale of these commodities until full payment is received". Interest of 1% per month will be added to the unpaid balance and all attorney fee incurred in connection with the collection of any balance due shall be considered owed in connection with the transaction under the PACA Trust.

INVOICE #: 72590-28 JD
 DATE: 05-DEC-2007 11:36 AM
 CUST. NO.: 1643 PO#

SOLD TO: EGG STORE HALSTED
 6190 S. ARCHER AVE.
 CHICAGO, IL 60638

** REPRINT **

INV #: 72590-28
BOOTH: 12

** **

TERMS:

Ctg:

TYPE: PACA TERMS

LOT #	QTY	COMMODITY	DEPT.	PRICE	EXT. AMOUNT
82091	ST 39	S/O ONION, GREEN 48 1C SUNTERRA	1	3.00	\$117.00
82107	D'AR 1	ANISE, 30 2C "30" ANDY BOY	1	16.00	\$16.00
82128	IPP 2	BRUSSEL,SPRT LSE 25 1C SR QUEEN VICTORIA	1	22.00	\$44.00
82109	GRIM 2	CARROT,PEEL BABY 24/1 2C CLASSIC	1	18.00	\$36.00
82103	PARD 1	DANDELION,24'S 1C PARD	1	20.00	\$20.00
82128	IPP 2	ESCAROLE, 2C QUEEN VICTORIA	1	22.00	\$44.00
82089	IPP 1	ENDIVE, 2C QUEEN VICTORIA	1	22.00	\$22.00
82108	D'AR 2	LETTUCE,LEAF GREEN 3B ANDY BOY	1	13.00	\$26.00
82129	ELIT 3	MUSH, 8OZ. 4D ELITE	1	11.00	\$33.00
82129	ELIT 5	MUSH, 16OZ. 4D ELITE	1	13.00	\$65.00

Pkgs: 58 ** PALLETS OUT ____ PALLETS IN ____ ** INVOICE TOTAL: **\$423.00**

Office Copy

The perishable agricultural commodities listed on this invoice are sold subject to the statutory trust authorized by Section 5C of the Perishable Agricultural Commodities Act, 1930 (7 U.S.C. 499 (e)(c)). The seller of these commodities retains a trust claim over these commodities, all inventories of food or other products derived from these commodities, and any receivables or proceeds from the sale of these commodities until full payment is received". Interest of 1% per month will be added to the unpaid balance and all attorney fee incurred in connection with the collection of any balance due shall be considered owed in connection with the transaction under the PACA Trust.

INVOICE #: 72590-31 JD
 DATE: 05-DEC-2007 11:11 AM
 CUST. NO.: 1643 PO#

SOLD TO: EGG STORE HALSTED
 6190 S. ARCHER AVE.
 CHICAGO, IL 60638

** REPRINT **

INV #: 72590-31

BOOTH: 12

** **

TERMS:

Ctg:

TYPE: PACA TERMS

LOT #	QTY	COMMODITY	DEPT.	PRICE	EXT. AMOUNT
		IPP			
82044	1	PARSLEY,CURLY 5 DZ. 1C SR QUEEN VICTORIA	1	16.00	\$16.00
		MUR			
82130	1	PARSLEY,PLAIN 1C MURANAKA	1	16.00	\$16.00
		AP			
82039	2	PEPPER, BAN HOT,FULL BU 1B WOOD CRATE	1	20.00	\$40.00
		RIO			
82101	1	KOHLRABI, 24'S 1C RIO FRESH	1	20.00	\$20.00
		JK			
20280	1	RUTABAGO 3A VERY FINE	4	20.00	\$20.00
		M			
82047	2	TURNIP,MED LSE 25# 3B FRESH TURNIP	1	10.00	\$20.00

Pkgs: 8 ** PALLETS OUT ____ PALLETS IN ____ ** INVOICE TOTAL: **\$132.00**

Office Copy

The perishable agricultural commodities listed on this invoice are sold subject to the statutory trust authorized by Section 5C of the Perishable Agricultural Commodities Act, 1930 (7 U.S.C. 499 (e)(c)). The seller of these commodities retains a trust claim over these commodities, all inventories of food or other products derived from these commodities, and any receivables or proceeds from the sale of these commodities until full payment is received". Interest of 1% per month will be added to the unpaid balance and all attorney fee incurred in connection with the collection of any balance due shall be considered owed in connection with the transaction under the PACA Trust.

2404 S. Wolcott Ave. 16-20
Chicago, Illinois 60608

S T R U B E C E L E R Y & V E G E T A B L E C O M P A N Y

** PRIMUS CERTIFIED **

Phone 312-226-7880

Fax 312-226-7644

INVOICE #: 72586-19 JD

DATE: 03-DEC-2007 11:01 AM

CUST. NO.: 1598 PO#

SOLD TO: EGG STORE CERMAK
7069 CERMAK
CHICAGO, IL

** REPRINT **

INV #: 72586-19

BOOTH: 14

** **

TERMS:

Ctg:

TYPE: PACA TERMS

LOT #	QTY	COMMODITY	DEPT.	PRICE	EXT. AMOUNT
82102	5	ELIT MUSH, 16OZ. 4D ELITE	1	13.00	\$65.00
82102	3	ELIT MUSH, 8OZ. 4D ELITE	1	11.00	\$33.00

Pkgs: 8 ** PALLETS OUT ____ PALLETS IN ____ ** INVOICE TOTAL: \$98.00

Office Copy

The perishable agricultural commodities listed on this invoice are sold subject to the statutory trust authorized by Section 5C of the Perishable Agricultural Commodities Act, 1930 (7 U.S.C. 499 (e)(c)). The seller of these commodities retains a trust claim over these commodities, all inventories of food or other products derived from these commodities, and any receivables or proceeds from the sale of these commodities until full payment is received". Interest of 1% per month will be added to the unpaid balance and all attorney fee incurred in connection with the collection of any balance due shall be considered owed in connection with the transaction under the PACA Trust.

INVOICE #: 72590-25 JD

DATE: 05-DEC-2007 11:01 AM

CUST. NO.: 1598 PO#

SOLD TO: EGG STORE CERMAK
7069 CERMAK
CHICAGO, IL

** REPRINT **

INV #: 72590-25

BOOTH: 12

TERMS:

Ctg:

TYPE: PACA TERMS

LOT #	QTY	COMMODITY	DEPT.	PRICE	EXT. AMOUNT
82091	ST 20	XX S/O ONION, GREEN 48 1C SUNTERRA	1	3.00	\$60.00
82107	D'AR 2	ANISE, 30 2C "30" ANDY BOY	1	16.00	\$32.00
82103	PARD 2	BEET, BCH 24 1C CHAMPS	1	20.00	\$40.00
82049	G 5	BEET, LSE 25# 3B 25#POLY SACK	1	6.00	\$30.00
82128	IPP 2	BRUSSEL, SPRT LSE 25 1C SR QUEEN VICTORIA	1	22.00	\$44.00
82103	PARD 2	DANDELION, 24'S 1C PARD	1	20.00	\$40.00
81970	PARD 1	DILL 4 DOZ 1C CHAMP	1	30.00	\$30.00
82128	IPP 3	ESCAROLE, 2C QUEEN VICTORIA	1	22.00	\$66.00
82089	IPP 2	ENDIVE, 2C QUEEN VICTORIA	1	22.00	\$44.00
82128	IPP 3	LETTUCE, LEAF GREEN 3B QUEEN VICTORIA	1	13.00	\$39.00

Pkgs: 42 ** PALLETS OUT ____ PALLETS IN ____ ** INVOICE TOTAL: **\$425.00**

Office Copy

The perishable agricultural commodities listed on this invoice are sold subject to the statutory trust authorized by Section 5C of the Perishable Agricultural Commodities Act, 1930 (7 U.S.C. 499 (e)(c)). The seller of these commodities retains a trust claim over these commodities, all inventories of food or other products derived from these commodities, and any receivables or proceeds from the sale of these commodities until full payment is received". Interest of 1% per month will be added to the unpaid balance and all attorney fee incurred in connection with the collection of any balance due shall be considered owed in connection with the transaction under the PACA Trust.